

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 10, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Bob Workman

Commissioners Absent: Deb Schorr

Others Present: Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, August 3, 2004.**

MOTION: Hudkins moved and Heier seconded approval of the minutes of the Board of Commissioners meeting held on August 3, 2004. Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **CLAIMS: Approval of all claims processed through Tuesday, August 10, 2004.**

MOTION: Heier moved and Workman seconded approval of all claims processed through August 10, 2004. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

- A. **Comprehensive Plan Amendment 04002, requested by the Director of Planning on behalf of the Lincoln Airport Authority, to adopt the "Lincoln Airport Federal Air Regulations (F.A.R.) Part 150 Noise Compatibility Study" as an approved subarea plan of the Lincoln/Lancaster County Comprehensive Plan, and to amend the Land Use Plan accordingly, for the area generally located between Southwest 40th Street and South Coddington Avenue, from West South Street to one-half mile of West "A" Street. (See New Business Item 5A for correlating resolution.)**

The Chair opened the public hearing.

The Clerk administered the oath to Duncan Ross, Planning Department.

Ross gave a brief explanation of the comprehensive plan amendment and indicated that the Board would be satisfying the following objectives of the study if approved:

- ▶ Approve the Noise Comparability Study as an approved sub-area plan
- ▶ Changes in land use in a specific area
- ▶ Proceed with a small expansion of the Future Service Limit in the area of Southwest 40th and West "A" Streets

Ross added that the Planning Commission recommended approval of the amendment, as well as the City Council.

The Clerk administered the oath to John Wood, Executive Director of the Lincoln Airport Authority.

Wood encouraged the County Board to adopt the resolution.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

5) **NEW BUSINESS:**

- A. **A resolution in the matter of Comprehensive Plan Amendment 04002, by the Director of Planning, on behalf of the Lincoln Airport Authority, to adopt the "Lincoln Airport Federal Air Regulations (F.A.R.) Part 150 Noise Compatibility Study" as an approved subarea plan, as provided in Exhibit "A". (R-04-0099)**

5) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Workman seconded approval of Resolution 04-0099 in the matter of Comprehensive Plan Amendment 04002, by the Director of Planning, on behalf of the Lincoln Airport Authority, to adopt the "Lincoln Airport Federal Air Regulations (F.A.R.) Part 150 Noise Compatibility Study" as an approved subarea plan, as provided in Exhibit "A". Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

B. An application for a Special Designated License from the Nebraska State Board of Agriculture to hold the following events in connection with the Nebraska State Fair:

- ▶ Friday, August 27, 2004 from 5 p.m. to 1 a.m. (Preview Party)
- ▶ Saturday, August 28, 2004 from 3 p.m. to 1 a.m. (Latino Festival)
- ▶ Sunday, August 29, 2004 from 12 p.m. to 10 p.m. (Latino Festival)
- ▶ Monday, August 30, 2004 from 4 p.m. to 1 a.m. (Chris Cagle)
- ▶ Tuesday, August 31, 2004 from 4 p.m. to 1 a.m. (Chris Ledoux)
- ▶ Wednesday, September 1, 2004 from 4 p.m. to 1 a.m. (REO Speedwagon)
- ▶ Thursday, September 2, 2004 from 4 p.m. to 1 a.m. (Cheap Trick)

Joseph McDermott, Interim Director of the Nebraska State Fair, appeared.

Hudkins asked McDermott if he and/or other managers have taken the Responsible Hospitality training.

McDermott responded that the Food and Beverage Manager has taken the training and added that the individuals selling alcohol at specific locations will receive the training.

McDermott also requested that the hours of the Latino Festival to be held on Sunday, August 29th be extended to 11 p.m. instead of 10 p.m..

Heier asked McDermott if he had read the Sheriff's recommendations.

McDermott indicated he had seen the letter from the Sheriff and has no problems with any of the recommendations.

MOTION: Heier moved and Hudkins seconded approval of an application for a Special Designated License from the Nebraska State Board of Agriculture to hold events, beginning on August 27, 2004 through September 2, 2004, in connection with the Nebraska State Fair, subject to the conditions as recommended by the Sheriff and to also approve the request to extend the hours of the Latino Festival to be held on August 29 from 10 p.m. to 11 p.m.. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

C. An application for a Special Designated License from B & B-Q, Inc. d/b/a Cheerleaders to cater a wedding reception on Saturday, August 28, 2004 from 5 p.m. to 1 a.m. at Country Pines located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska.

MOTION: Hudkins moved and Heier seconded approval of an application for a Special Designated License from B & B-Q, Inc. d/b/a Cheerleaders to cater a wedding reception on Saturday, August 28, 2004 from 5 p.m. to 1 a.m. at Country Pines located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska subject to the recommendation as outlined by the County Engineer that no parking be allowed on West Adams Street. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

D. An agreement with Mary L. Paine, Ph.D. for services as psychologist to the Community Mental Health Center to assist with mental health services to citizens of the County. Term of the agreement is July 1, 2004 through June 30, 2005. The County will pay \$65 per hour for up to 40 hours per week. The County will also pay \$100 per weekend where Dr. Paine has agreed to provide on-call services. (C-04-0377)

MOTION: Hudkins moved and Workman seconded approval of an agreement with Mary L. Paine, Ph.D. for services as psychologist to the Community Mental Health Center to assist with mental health services to citizens of the County. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

E. Acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for The Hub Project. The County will receive \$17,580. Term of the grant award is July 1, 2004 to September 30, 2004. (C-04-0384)

MOTION: Heier moved and Workman seconded to accept a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for The Hub Project. The County will receive \$17,580.

Hudkins asked if the County has a match share.

Kristy Mundt, Deputy County Attorney, stated there were two grants for The Hub Project (New Business Items 5E and 5F) and indicated there was no County match share for Item 5E, however, Item 5F does have a \$161,000 match on the behalf of the County.

Stevens indicated he had some questions regarding The Hub, however, he would be unable to obtain those answers until he meets with Kit Boesch, Human Services Administrator, on Wednesday, August 11th.

5) **NEW BUSINESS CONTINUED:**

The maker of the motion and the seconder withdrew the motion.

By direction of the Chair, New Business Item 5E was held.

F. Acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for The Hub Project. The County will receive \$226,867, of which \$161,898 is the County's match share. Term of the grant award is September 1, 2004 to June 30, 2005. (C-04-0385)

Board consensus was to hold the item.

G. Renewal of an annual maintenance agreement for RTA (Ron Turley Associates) software for the County Engineering Department, in the amount of \$1,250. Term of the agreement is October 1, 2004 through September 30, 2005. (C-04-0386)

MOTION: Hudkins moved and Workman seconded approval of the renewal of an annual maintenance agreement for RTA (Ron Turley Associates) software for the County Engineering Department, in the amount of \$1,250.

In response to a question asked by Heier, Larry Worrell, County Surveyor, indicated the agreement was for their Fleet Management Software Program and that they do pay for it in advance.

ROLL CALL: Workman, Hudkins, Heier and Stevens voted aye. Motion carried.

H. A renewal application for an adult day services license with the Nebraska Department of Health and Human Services for the Adams Street Center in connection with the Community Mental Health Center (CMHC).

MOTION: Workman moved and Hudkins seconded approval of a renewal application for an adult day services license with the Nebraska Department of Health and Human Services for the Adams Street Center in connection with the Community Mental Health Center (CMHC).

Hudkins stated the Adams Street Center may be moving to the Community Blood Bank building and asked if the application encompassed the operations of the center and whether the application was specific to that site.

Mundt stated she could check with Health and Human Services. She said she would assume that the application would move with the project and that they could provide notification of the change in address.

5) **NEW BUSINESS CONTINUED:**

Hudkins suggested approval subject to review by the County Attorney's Office.

The maker of the motion indicated he agreed with the approval of the renewal of the application subject to review by the County Attorney's Office.

ROLL CALL: Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

I. Authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to the following payees:

- ▶ Weathercraft Company of Lincoln, in the amount of \$1,982, for roof work to the Midtown Center (old Community Blood Bank) located at 2966 "O" Street
- ▶ Industrial Services, Inc., in the amount of \$305.86, for refuse/dump fees for July, 2004 for Midtown Center
- ▶ Alltel, in the amount of \$41.95, for a security phone at Midtown Center
- ▶ Cheever Construction Company, in the amount of \$378, for a building permit fee for Midtown Center
- ▶ Lancaster County, Nebraska, in the total amount of \$777,813.05, for reimbursement to the County for cost of the old Community Blood Bank building and Fiscal 2004 and 2005 related costs
- ▶ Allied Surveying and Mapping, Inc., in the amount of \$318.75, for survey service relating to the County Sheriff's garage
- ▶ Wells Fargo, in the amount of \$1,050, for administration charges and cost of insurance.

Total payment request is \$779,181.80.

MOTION: Hudkins moved and Workman seconded authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund, in the total amount of \$779,181.80. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

J. A political subdivision tort claim filed against the Lancaster County Corrections Department by Kristopher P. Marcoe for lost property, in the amount of \$45.

MOTION: Heier moved and Hudkins seconded to accept the recommendation of the Director and deny a tort claim filed against the Lancaster County Corrections Department by Kristopher P. Marcoe for lost property, in the amount of \$45. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

K. Statement of services and consulting services agreement with PeopleSoft USA, Inc. for the implementation of PeopleSoft as the financial system for Lancaster County. The approximate term of the agreement is April 13, 2004 through January 1, 2005. The County will pay approximately \$382,515 for such services. This agreement replaces and rescinds County Contract C-04-0179 previously executed by the County on April 6, 2004. (C-04-0387)

MOTION: Workman moved and Heier seconded approval of a statement of services and consulting services agreement with PeopleSoft USA, Inc. for the implementation of PeopleSoft as the financial system for Lancaster County. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

6) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. **County Clerk's Monthly Report for July, 2004.**
2. **Clerk of the District Court's Monthly Report for July, 2004.**
3. **County Engineer's Quarterly Report for the Geographic Information System (GIS) Division for April, May and June of 2004.**
4. **County Engineer's Quarterly Report for April, May and June of 2004.**
5. **Sheriff's Report of Fees for July, 2004.**

B. Requests from the following individuals to participate in the Lancaster County Retirement Plan, having met the requirements:

- ▶ Deirdre M. Barr, an employee with Families First and Foremost
- ▶ Shawn A. Miller, an employee with the Lancaster County Engineering Department

C. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- ▶ Tauno and Elaine R. Ahola, in the total amount of \$2,649, on West Bennet Road from Southwest 72nd to Southwest 86th Streets; Project C55-U-405(1). (2 contracts) (C-04-0378 and C-04-0379)
- ▶ Klaus Hartmann, in the amount of \$2,911, on West Bennet Road from Southwest 72nd to Southwest 86th Streets; Project C55-U-405(1). (C-04-0380)
- ▶ Diane M. Loth, Trustee, at 2301 West Denton Road; Project STPE-3305(9). This is a donation. (C-04-0381)

6) **CONSENT ITEMS CONTINUED:**

- ▶ Douglas W. and Dawn M. Duis, in the amount of \$1,756.25, at Southwest 34th Street and Denton Road; Project STPE-3305(9). (C-04-0382)
- ▶ David A. and Evonne C. Watkins at Southwest 13th Street and Denton Road; Project STPE-3305(9). (C-04-0383)

The Clerk referred to Consent Item 6B and noted that Deirdre M. Barr is no longer employed by the County and should be omitted.

MOTION: Heier moved and Workman seconded approval of the Consent Items with the exception of omitting the request from Deirdre M. Barr in relation to Item 6B. Workman, Heier, Hudkins and Stevens voted aye. Motion carried.

7) **ADJOURNMENT:**

MOTION: Heier moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 2:02 p.m.. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 10, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Bob Workman

Commissioners Absent: Deb Schorr

Others Present: Norm Agena, County Assessor/Register of Deeds
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:02 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 3, 2004.**

MOTION: Heier moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting held on August 3, 2004. Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

Nancy Hallgren, daughter of Elaine Focken, appeared and asked that the rejection of the homestead exemption (Item 4) be reconsidered.

Norm Agena, County Assessor/Register of Deeds, stated he visited with the State regarding the matter and they indicated there is nothing that can be done. He explained until the State Statute is changed by the Legislature there is no relief for the property owner for the loss/ improvement or the homestead exemption.

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 27 additions and deductions to the tax assessment rolls per Exhibit "A".

3) **ADDITIONS AND DEDUCTIONS CONTINUED:**

MOTION: Heier moved and Workman seconded approval of the additions and deductions to the tax assessment rolls. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

4) **APPEAL FILED ON DENIAL OF A HOMESTEAD EXEMPTION:**

Elaine Focken

MOTION: Heier moved and Hudkins seconded to deny the appeal filed on the denial of a homestead exemption for Elaine Focken. Workman, Hudkins, Heier and Stevens voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Heier moved and Hudkins seconded adjournment of the Board of Equalization meeting at 2:10 p.m.. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk